IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

Bail Appl..No. 7893 of 2007()

(CRIME NO.133/2006 OF THE PAYYANNUR POLICE STATION)

PETITIONER/IST ACCUSED:

MUJEEB, S/O.MUHAMMEDKUNHI.C.K. (LATE), AGED 34 YEARS, CALIKADAVU KAPPIL HOUSE (WHITE HOUSE), KAPPIL, P.O.UDUMA, KASARAGOD DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT: COMPLAINANT:

STATE OF KERALA, THROUGH THE SUB INSPECTOR OF POLICE, PAYYANNUR POLICE STATION, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. AMJAD ALI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KSS

V.K. MOHANAN, J.

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Bail Application No. 7893 of 2007

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Dated this the 24th day of December,2007.

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioner who is the first accused in Crime No. 133 of 2006 in the Payyannur Police Station for an offence punishable under Sec. 498A I.P.C., seeks anticipatory bail.

2. I have heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioner and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioner. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs.10,000/- (Rupees Ten Thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.K.MOHANAN,

JUDGE.

Mbs/